

Clifton Park Town Board Meeting Minutes

April 16, 2001

The regular meeting of the Town Board of the Town of Clifton Park was held in the Town Office Building at 7:00 p.m., Supervisor Barrett presiding.

PLEDGE OF ALLEGIANCE TO THE FLAG

Present: Councilman Speckhard
Councilman Roth
Councilwoman Walowit
Supervisor Barrett
Town Clerk O'Donnell

Absent: Councilman Paolucci

Also Present: Town Attorney Trainor
Mark Heggen, Comptroller
Michael Shahan, Town Administrator
Walter Smead, Assessor

MOTION by Councilman Roth, seconded by Councilwoman Walowit, to approve the minutes of the April 2, 2001 meeting as presented.

ROLL CALL VOTE

Ayes: Councilman Speckhard, Councilman Roth,
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Paolucci

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATIONS

Supervisor Barrett announced the Clifton Park Water Authority will be holding a meeting in the Town Hall on April 19th at 7:00 p.m. to discuss the water tower to be located off Miller Road.

On April 28th, from 12:00 to 2:00 p.m. the County Health Department and Don Baker, Animal Control Officer will hold an informational meeting in the Town Hall to discuss the West Nile Virus, rabies, and state and town dog laws.

Letter from Duncan Barrett, Omni Housing Development, to Supervisor Barrett, dated April 12, 2001, asking that the application to re-zone the 9.3 acre parcel to allow for senior citizen housing be tabled. (Clerk's note: a public hearing was held on the issue but was never brought forward.)

Supervisor Barrett said at this point this application will no longer be considered unless the applicant requests further consideration.

Councilman Roth updated the Board on programs at the Association of Towns Meeting and in particular alternate Board members for Planning and Zoning Boards to ensure a quorum is present.

Councilman Roth reported there are problems with the boilers in the senior center. It is estimated to cost \$15,000 to \$18,000 for the boilers and \$10,000 for the condenser unit. He asked that this project be taken care of as soon as possible.

Councilman Roth requested that early public privilege be put back on the agenda.

Councilman Speckhard said a petition has been received from residents of the Heritage Green subdivision requesting a study be done regarding stop signs at four intersections – Torrey Pines and Spruce Street, Torrey Pines and Pinehurst and Glendale and Spruce Street. It is his understanding Mr. Gerard has forwarded this request to the Town engineer for review.

The Board was in agreement to add a resolution this evening authorizing soliciting bids and spec preparation for the heating system in the senior center.

REPORTS

Report for March from the Planning Department was filed with the Town Clerk.

PRESENTATIONS TO THE BOARD

Cindy Schmehl, Zawaslan Co. consultant, updated the Board on events planned for "Celebrate Downtown Day" scheduled for May 5, 2001. Councilman Speckhard expressed appreciation to the businesses supporting this event stating this is a great partnership between the town and businesses.

Richard Kukuk, Chairman, Clifton Park Water Authority, said the Authority is responding to the request of the Town Board. He explained the present rate structure was formulated in the summer of 1996 as part of the capital improvement program. Mr. Kukuk said the presentation focuses on two primary points: 1) it is absolutely essential to have a conservation incentive and 2) systems' physical plant must be designed to optimize the operational efficiencies and the capital investments. He reviewed the reasons for the inclining block rate structure stating the purpose was to eliminate any excessive and wasteful usage by any individual customer and to control the peak demand periods of

the system. He emphasized rates and revenue projections are based on the base rate only. Mr. Kukuk stated no public water supply is intended or designed to be an irrigation supply. He introduced Helen Bopp and Lester Stuzin, Water Authority Board and study group rate structure review members.

Helen Bopp reported when the rate structure was reviewed in 1996, residents falling in lowest tier (less than 40,000 gallons/quarter) were not willing to carry extra burden of a higher base rate so people could use extra water in the summer and that a higher step in the inclining block rate structure should be implemented. She noted that customers have increased by 20 percent over the winter months but pumpage has stayed the same, which indicates that conservation methods have worked. Ms. Bopp stated the rate structure, as set up, is fair to customers.

Lester Stuzin reviewed the rate design process. He spoke in favor of the current rate structure, stating the inclined rate is a proper method and it was the public that wanted the Water Authority to represent people who use water for domestic use and fire protection, not irrigation.

Donald Austin, Deputy Administrator of the Clifton Park Water Authority, presented the Committee Report on Current Rate Structure, attached. He said the Water Authority believes there is a need to change the commercial rate structure and this is being reviewed.

Mr. Kukuk reported there will be an irrigation policy implemented for commercial customers where the customer will have to install a second meter for irrigation purposes and the Water Authority will apply an irrigation usage rate to them. This will equate to the residential rate so there will be an allowance to water at the base rate and anything excessive, a premium rate will apply. He noted some commercial users have private wells for irrigation purposes. Mr. Kukuk said since 1996 a third objective, which is to protect water sources so that they are viable at least for the immediate future, has evolved. It was noted the committee will not recommend any changes to the residential inclining block rate structure.

In response to Councilwoman Walowit question regarding hydroseeding companies, Mr. Kukuk a more formal hydrant use policy has been adopted.

Town Administrator Shahan reported March activities, including attendance at a FEMA meeting, Clifton Knolls Civic Association meeting to discuss town security staff responsibilities, and plans to have a phone number available for security calls in the evening.

Town Comptroller Heggen reviewed the financial report for March and the first quarter of 2001, reporting the renewal of the Clifton Knolls Park District BAN, which will be paid off next year. He said the town retirement contribution will probably increase one and a half percent of payroll, due to decreases in stock market. He noted the vouchers paid during March are listed in the report.

George Donohue, Chairman of the Board of Fire Commissioners, Vischer Ferry Fire District spoke from the floor expressing concern that no notification came to the fire protection agencies of the proposed amendments to the Burning law. Supervisor Barrett said this went through the Fire Marshall and Emergency Services Advisory Board and a public hearing was held. Mr. Donohue said he would like to have the opportunity to review the proposed law and make some suggestions before it is passed. Mr. Donohue said his concern is what prompted the change to a law that has been on the books since 1969 and has worked very effectively. Supervisor Barrett recommended Mr. Donohue speak with himself, Mr. Shahan or Ms. Reed.

Concern from the floor regarding the need for a traffic light at the corner of Maxwell Road and Park Avenue. Councilman Roth responded the developer has applied for the light with DOT. Supervisor Barrett asked Mr. Shahan to check on the timeframe for the installation and advise Mrs. Shopmyer.

Resolution No. 88 of 2001, a resolution authorizing extending Joan Ireland's appointment as a part-time seasonal clerk for the STAR program and appointing her as a part-time clerk for the Board of Assessment Review.

Introduced by Councilman Roth, who moved its adoption, seconded by Councilman Speckhard.

WHEREAS, Walter Smead, the Sole Assessor for the Town of Clifton Park has requested that Joan Ireland's appointment as part-time seasonal clerk for the STAR program be extended until the balance of the \$2600 allocated for the program has been used, and

WHEREAS, Mr. Smead further requests that Joan Ireland then work as a part-time clerk for the Board of Assessment Review until June 15, 2001; now, therefore be it

RESOLVED, that Joan Ireland, 15 Broadleaf Drive, Clifton Park, be extended as part-time seasonal clerk for the STAR program until the balance of the allotted \$2600 has been used and then continue to work as a part-time clerk for the Board of Assessment Review until June 15, 2001, STAR to be budgeted as appropriated from A1355-E074 (Assessor-Star Overtime) and from A1355-14 (Assessor-Board of Assessment Review).

ROLL CALL VOTE

Ayes: Councilman Speckhard, Councilman Roth, Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 89 of 2001, a resolution appointing Colleen A. Adamec as a part-time Commercial Data Collector in the Assessment Office.

Introduced by Councilwoman Walowit, who moved its adoption, seconded by Councilman Roth.

WHEREAS, Walter Smead, Sole Assessor for the Town of Clifton Park has recommended that Colleen A. Adamec be appointed as part-time Commercial Data Collector in the Assessment Office; now, therefore be it

RESOLVED, that Colleen A. Adamec, 383 North Hudson Avenue, Stillwater, is hereby appointed part-time Commercial Data Collector in the Assessment Office at \$11.00 per hour, to be budgeted from A1355-015 (Assessor-Data Clerk Contractual) effective April 17, 2001.

ROLL CALL VOTE

Ayes: Councilman Speckhard, Councilman Roth, Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 90 of 2001, a resolution appointing a new member to the Historic Preservation Commission.

Introduced by Councilman Speckhard, who moved its adoption, seconded by Councilman Roth.

WHEREAS, Joanne Coons, Chairperson for the Historic Preservation Commission, has recommended that Brian McGlinchey, 3 Delaware Court, Rexford, be added as a member of the Commission to fill the unexpired term of Gail Winters; now, therefore be it

RESOLVED, that Brian McGlinchey, 3 Delaware Court, Rexford, be added as a new member of the Historic Preservation Commission to fill the unexpired term that ends on December 31, 2001.

ROLL CALL VOTE

Ayes: Councilman Speckhard, Councilman Roth,
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 91 of 2001, a resolution honoring Bryan Scott Sweet for attaining the rank of Eagle Scout.

Introduced by Supervisor Barrett, who moved its adoption, seconded by the entire Town Board.

WHEREAS, Bryan Scott Sweet, 83 Gloucester Street, Clifton Park, of Boy Scout Troop 48, has attained the rank of Eagle Scout, and

WHEREAS, the Town of Clifton Park Town Board wishes to acknowledge and honor Bryan Scott Sweet's achievements, particularly his project entailing improving a trail section at Kinns Road Park through widening the trail and building retaining walls on both sides in several areas; now, therefore be it

RESOLVED, that Bryan Scott Sweet, 83 Gloucester Street, Clifton Park of Boy Scout Troop 48, is hereby recognized and honored for having attained the rank of Eagle Scout.

ROLL CALL VOTE

Ayes: Councilman Speckhard, Councilman Roth,
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 92 of 2001, a resolution honoring Kyle V. Goehner for attaining the rank of Eagle Scout.

Introduced by Supervisor Barrett, who moved its adoption, seconded by the entire Town Board.

WHEREAS, Kyle V. Goehner, 1 Vineyard Circle, Clifton Park, of Boy Scout Troop 48,

has attained the rank of Eagle Scout, and

WHEREAS, the Town of Clifton Park Town Board wishes to acknowledge and honor Kyle V. Goehner's achievements, particularly his project entailing the beautification of the flower beds and the painting of a United States map in the bus turn-around at Albany Public School No. 26; now, therefore be it

RESOLVED, that Kyle V. Goehner, 1 Vineyard Circle, Clifton Park of Boy Scout Troop 48, is hereby recognized and honored for having attained the rank of Eagle Scout.

ROLL CALL VOTE

Ayes: Councilman Speckhard, Councilman Roth,
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 93 of 2001, a resolution authorizing the hiring of summer workers for Buildings and Grounds as per schedule A.

Introduced by Councilwoman Walowit, who moved its adoption, seconded by Councilman Roth.

WHEREAS, the Buildings and Grounds Supervisor has recommended that individuals listed in Schedule A be hired for this position; now, therefore be it

RESOLVED, that the individuals listed in Schedule A attached hereto be hired as summer staff for the Buildings and Grounds Department, at an hourly rate of \$6.50, to be budgeted from A7110-E4000 (part-time Labor-Summer) for the Summer of 2001.

ROLL CALL VOTE

Ayes: Councilman Speckhard, Councilman Roth,
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 94 of 2001, a resolution authorizing the hiring of Summer Recreation

Directors and Pool Staff.

Introduced by Councilman Speckhard, who moved its adoption, seconded by Councilman Roth.

WHEREAS, Patricia Haffner, Director of Parks, Recreation and Community Affairs, has identified a need for Summer Recreation Directors and Pool Managers, and

WHEREAS, staff needs to be in place for Summer Recreation Programs to commence when pools open; now, therefore be it

RESOLVED, that the Director of Parks, Recreation and Community Affairs is hereby authorized to hire Summer Recreation Directors and Pool Managers as per attached Schedule A.

ROLL CALL VOTE

Ayes: Councilman Speckhard, Councilman Roth,
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No 95 of 2001, a resolution proclaiming the week of April 15-21, 2001, as "Organ and Tissue Donation Awareness Week".

Introduced by Supervisor Barrett, who moved its adoption, seconded by the entire Town Board.

WHEREAS, there are over 75,000 people on the national list waiting for a life-saving organ, and

WHEREAS, every sixteen minutes a new name is added and everyday twelve Americans will die because organs were not donated in time to save their lives, and

WHEREAS, the need for donated organs and tissues continues to increase dramatically each year, and

WHEREAS, recognition of the increasing need for organ and tissue donation provides an opportunity to remind the community of the need to provide the "Gift of Life" through organ and tissue donation; now, therefore, be it

RESOLVED, that the Town Board for the Town of Clifton Park hereby proclaims the

week of April 15-21, 2001, "Clifton Park Organ and Tissue Donor Awareness Week"; and be it further

RESOLVED, that a copy of this resolution be forwarded to the Center for Donation and Transplant in Guilderland, New York, and that this resolution be posted on the Community Bulletin Boards throughout the Town.

ROLL CALL VOTE

Ayes: Councilman Speckhard, Councilman Roth
Councilman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 96 of 2001, a resolution hiring Matthew Desrochers to do clean up work at Longkill I Park District.

Introduced by Councilman Roth, who moved its adoption, seconded by Councilwoman Walowit.

WHEREAS, a need has been identified for help to clean up the Longkill I Park District and Matthew Desrochers, 6 Tanglewood Drive, Ballston Lake has been recommended to be hired for this position; now, therefore be it

RESOLVED, that authorization is hereby granted to hire Matthew Desrochers, 6 Tanglewood Drive, Ballston Lake, to do cleanup work at Longkill I Park District, effective immediately through the end of the year at \$6.50 per hour, to be budgeted from SP5-7123-24 (Longkill I-General Maintenance).

ROLL CALL VOTE

Ayes: Councilman Speckhard, Councilman Roth,
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 97 of 2001, a resolution authorizing the commencement of the bidding process for Route 9-Fire Road Water District No. 1.

Introduced by Councilwoman Walowit, who moved its adoption, seconded by Councilman Roth.

WHEREAS, the creation of the Route 9-Fire Road Water District No. 1 was previously approved by Resolution No. 56 of 2001; now, therefore be it

RESOLVED, that the Town Board as Commissioners of the Route 9-Fire Road Water District No. 1 is hereby authorized to commence the bidding process for work to be performed in the construction of the Route 9-Fire Road Water District No. 1, and be it further

RESOLVED, that the cost of construction improvements not exceed a maximum authorized estimated cost of \$385,000; and be it further

RESOLVED, that authorization is granted to accept the lowest responsible bid for such work.

It was noted that if bids come in over \$385,000, it will be necessary to rebid.

ROLL CALL VOTE

Ayes: Councilman Speckhard, Councilman Roth,
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 98 of 2001, a resolution awarding the bid for the Transfer Station Garage-Contract No.1-General Construction.

Introduced by Councilman Speckhard, who moved its adoption, seconded by Councilwoman Walowit.

WHEREAS, on April 12, 2001, bids were received for the above referenced contract, and

WHEREAS, the low bidder for the Contract No. 1-General Construction, is M. A. Schafer Construction in the amount of \$169,800, and

WHEREAS, John M. McDonald Engineering has reviewed the bids and has recommended to the Town Supervisor that the bid of M. A. Schafer Construction be accepted as the lowest most responsible bidder; now, therefore be it

RESOLVED, that the Town Board hereby accepts and awards the above referenced bid to M. A. Schafer Construction in the amount of \$169,800.

ROLL CALL VOTE

Ayes: Councilman Speckhard, Councilman Roth,
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 99 of 2001, a resolution awarding the bid for the Transfer Station Garage-Contract No.2-Plumbing Work.

Introduced by Councilman Speckhard, who moved its adoption, seconded by Councilwoman Walowit.

WHEREAS, on April 12, 2001, bids were received for the above referenced contract, and

WHEREAS, the low bidder for Contract No. 2-Plumbing Work, is BPI Piping in the amount of \$4,696, and

WHEREAS, John M. McDonald Engineering has reviewed the bids and has recommended to the Town Supervisor that the bid of BPI Piping be accepted as the lowest most responsible bidder; now, therefore be it

RESOLVED, that the Town Board hereby accepts and awards the above referenced bid to BPI Piping in the amount of \$4,696.

ROLL CALL VOTE

Ayes: Councilman Speckhard, Councilman Roth,
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 100 of 2001, a resolution awarding the bid for the Transfer Station Garage-Contract No. 3-Heating Work.

Introduced by Councilwoman Walowit, who moved its adoption, seconded by Councilman Speckhard.

WHEREAS, on April 12, 2001, bids were received for the above referenced contract, and

WHEREAS, the low bidder for Contract No. 3-Heating Work, is Northeast Refrigeration and Air Conditioning Co. Inc. in the amount of \$5,100, and

WHEREAS, John M. McDonald Engineering has reviewed the bids and has recommended to the Town Supervisor that the bid of Northeast Refrigeration and Air Conditioning Co. Inc. be accepted as the lowest most responsible bidder; now, therefore be it

RESOLVED, that the Town Board hereby accepts and awards the above referenced bid to Northeast Refrigeration and Air Conditioning Co. Inc. in the amount of \$5,100.

ROLL CALL VOTE

Ayes: Councilman Speckhard, Councilman Roth,
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 101 of 2001, a resolution awarding the bid for the Transfer Station Garage-Contract No.4-Electrical Work.

Introduced by Councilwoman Walowit, who moved its adoption, seconded by Councilman Roth.

WHEREAS, on April 12, 2001, bids were received for the above referenced contract, and

WHEREAS, the low bidder for Contract No. 4-Electrical Work, is SSP Electric Corp. in the amount of \$15,490, and

WHEREAS, John M. McDonald Engineering has reviewed the bids and has recommended to the Town Supervisor that the bid of SSP Electric Corp. be accepted as the lowest most responsible bidder; now, therefore be it

RESOLVED, that the Town Board hereby accepts and awards the above referenced bid to SSP Electric Corp. in the amount of \$15,490.

ROLL CALL VOTE

Ayes: Councilman Speckhard, Councilman Roth,
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 102 of 2001, a resolution adopting Local Law No. 6 of 2001 a local law amending Local Law No. 6 of 1969, Chapter 80, Burning, as amended by Local Law No. 2 of 1998.

Introduced by Councilwoman Walowit, who moved its adoption, seconded by Councilman Roth.

WHEREAS, changes to sections of the Clifton Park Town Code relative to control of burning were identified and drafted, and

WHEREAS, a public hearing was held on April 9, 2001 to consider the adoption of said proposed local law, and

WHEREAS, comments received from the public have been considered by the Town Board; now, therefore be it

RESOLVED, that the Town Board of the Town of Clifton Park hereby adopts Local Law No. 6 of 2001, a local law amending Local Law No. 6 of 1969, Chapter 80, Burning, as amended by Local Law No. 2 of 1998, and be it further

RESOLVED, that the Town Clerk file said Local Law with New York State, Secretary of State.

Supervisor Barrett said this is in response to landowners of larger properties who wanted the option to be allowed to burn on their property. He said this will help make farmers and larger landowners more productive and profitable.

MOTION by Supervisor Barrett, seconded by Councilman Roth, to amend the proposed local law by reducing the permit fee to \$10.00 and extend permit days to 90 days.

Councilman Roth said there is an expense involved with the permit process and agreed that \$10.00 is reasonable and 90 days is acceptable.

ROLL CALL VOTE ON AMENDMENT

Ayes: Councilman Speckhard, Councilman Roth,

Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Paolucci

MOTION CARRIED

It was noted the law becomes effective upon filing with the Department of State. Councilman Speckhard said if something occurred, there would still be time to amend the proposed law before it took effect. Supervisor Barrett said yes, but it would require another public hearing. He noted this went through the Environmental Specialist, ESAB, Fire Marshall and a public hearing was held and feels it is proper to adopt this law.

ROLL CALL VOTE

Ayes: Councilman Speckhard, Councilman Roth
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 103 of 2001, a resolution authorizing the Supervisor to submit a Home Rule Request to the State Legislature in connection with a proposed Act expanding the boundaries of the Shenendehowa Public Library District.

Introduced by Councilman Roth, who moved its adoption, seconded by Councilman Speckhard.

WHEREAS, the Legislature of the State of New York enacted a Special Bill by which and pursuant to which the Shenendehowa Library District was created, and

WHEREAS, the Library District includes the Town of Clifton Park but does not include the Town of Halfmoon, and

WHEREAS, the Town of Clifton Park is informed that the Town of Halfmoon is willing that the current boundaries of the Library District be expanded to include all or a portion of the Town of Halfmoon; now, therefore be it

RESOLVED, that the Supervisor is hereby authorized to execute a Home Rule Request and to forward the same to the New York State Legislature requesting the enactment of a Special Bill which would authorize the expansion of the boundaries of the Library District to include all or a portion of the Town of Halfmoon.

ROLL CALL VOTE

Ayes: Councilman Speckhard, Councilman Roth,
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 104 of 2001, a resolution authorizing the advertising for bids for the repair or replacement of the heating system (boilers and condenser) at the Henry J. Kinns building (aka CAPTAIN/ Senior Center).

Introduced by Councilman Roth, who moved its adoption, seconded by Councilwoman Walowit.

WHEREAS, the boilers which heat the Henry J. Kinns building are in need of repair or replacements; and

WHEREAS, the Town Board wishes to advertise for the repair or replacements of the heating system (boilers and condenser); now, therefore be it

RESOLVED, John M. McDonald Engineering is hereby authorized to prepare bids to repair or replace the heating system (boilers and condenser) at the Henry J. Kinns building (aka CAPTAIN/Senior Center); and be it further

RESOLVED, that the Town Clerk is authorized to advertise for bids for work as specified by John M. McDonald Engineering.

ROLL CALL VOTE

Ayes: Councilman Speckhard, Councilman Roth
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

PUBLIC PRIVILEGE

Roman Racozzi, President of Clifton Park Youth Hockey Association, spoke in favor of

the proposed second ice rink, stating the community and children will benefit from a second rink and urged the town to proceed. He noted the existing rink and current set up hinders future development of youth hockey program due to the lack of ice and a second rink will open up opportunities.

Norman Goldman, London Square Drive, said the issue is whether there should have been someone else who had expressed an interest to be able to enter into the process and maybe compete with Mr. Bobrow. He said the town pays for the utilities at the senior center and if the heating controls are placed in the senior center he feels the town will pay more. Mr. Goldman stated the sign at the entrance to the Common is illegal and if the town wants to allow that not for profit organization to put up the sign, then the law should be changed. Regarding public privilege, Mr. Goldman said the press is still in attendance for early public privilege but is usually gone by the time late public privilege is held and comments don't carry the same impact. With respect to the alternate Zoning and Planning Boards members, he said this is the largest municipality in the County and there is a great pool of people to draw on who can make the meetings.

Tom Gallagher, Hills Road, Malta, said he has concerns about the existing facility and building and spoke in favor of a second sheet ice. He expressed appreciation to Supervisor Barrett and Mr. Bobrow for moving ahead.

Brian Hitchco, Waite Road, former employee of YMCA at the arena, spoke in favor of the proposed upgrades to the facility and a second sheet of ice, stating it will open up many more hours for groups and will be a win-win for all involved.

Jan Lemon, Esopus Drive, stated she is a proponent of recreation in town and is not speaking against recreation but the process. She said there was no knowledge of the process, no municipal bid, and management and ground lease agreements weren't available until a week after resolution was passed. Ms. Lemon said this was an issue big enough to find out whether there were better deals. She stated the public had a right to see and comment on the agreements, and for municipal bidding.

Supervisor Barrett said the town's main concern is to protect the users, taxpayers and the bond holders and Mr. Bobrow's proposal fulfills everything the town is looking and solves the problems.

Scott Bobrow, Wilshire Drive, reviewed what he is offering to the town, stating he is following the letter of the law.

Youssef Ballout, Torrero Drive, agreed that the town probably needs another sheet of ice but his concern is that the process was not followed.

Supervisor Barrett reiterated the letter of the law was followed and a press conference and public forum were held well before the resolution was voted upon.

Councilman Speckhard said the agreement does require that the town arena be used to its

fullest with the hockey program, and he is convinced the outcome of the proposal will be of benefit to the community.

Terence Elliott, Juniper Drive, said he puts confidence in elected officials to use their best judgement. He spoke in favor of the proposal and of Mr. Bobrow's qualifications. He stated leagues have moved to other areas due to the deterioration of the rink.

Larry Albert, Nottingham Way, former President of Youth Hockey, said only good things will come from the arena proposal and children and taxpayers will benefit.

Mr. Goldman expressed concerned that not enough information was offered and with the time frame of the public forum and passing of the resolution.

Supervisor Barrett said many benefits will be realized with this proposal.

MOTION by Councilman Roth, seconded by Councilwoman Walowit, to adjourn the meeting to the next regular meeting or any other meeting necessary for the conduct of Town business.

Motion carried at 10:25 p.m.

Patricia O'Donnell
Town Clerk